

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BEARBOX LLC and AUSTIN STORMS,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 21-534-MN-CJB
)	
LANCIUM LLC, MICHAEL T.)	
MCNAMARA, and RAYMOND E. CLINE,)	PUBLIC VERSION
JR.)	
)	
Defendants.)	

**DEFENDANTS' RESPONSE TO PLAINTIFFS' SEPARATE CONCISE STATEMENT
OF MATERIAL FACTS FOR TRIAL REGARDING DAMAGES**

Dated: July 29, 2022
Public Version filed on August 5, 2022

BARNES & THORNBURG LLP
Chad S.C. Stover (No. 4919)
222 Delaware Avenue, Suite 1200
Wilmington, Delaware 19801-1050
Telephone: (302) 300-3474
E-mail: chad.stover@btlaw.com

Mark C. Nelson (admitted *pro hac vice*)
David Lisch (admitted *pro hac vice*)
2121 N. Pearl Street, Suite 700
Dallas, TX 75201
Tel: (214) 258-4140
E-mail: mark.nelson@btlaw.com
david.lisch@btlaw.com

Adam M. Kaufmann (admitted *pro hac vice*)
Derrick Hooker (admitted *pro hac vice*)
Dana Amato Sarros (admitted *pro hac vice*)
One North Wacker Drive, Suite 4400
Chicago, IL 60606
Tel: (312) 214-8319
Email: adam.kaufmann@btlaw.com
Email: derrick.hooker@btlaw.com
Email: dana.sarros@btlaw.com

*Attorneys for Defendants Lancium LLC,
Michael T. McNamara, and Raymond E.
Cline Jr.*

Pursuant to the Court's Scheduling Order (D.I. 35), Defendants submit the following response to the Plaintiffs' Separate Concise Statement of Material Facts for Trial Regarding Damages (D.I. 183).

1. Disputed. Plaintiffs' alleged "fact" is a legal conclusion and unsupported by the evidence in this case, which demonstrates that Defendants did not convert and do not use any information or documents provided by Plaintiffs. *See, e.g.*, D.I. 151, Exs. 4, 6, & Ex. 21. D.I. 170, Exs. 24-29;

Dated: July 29, 2022

BARNES & THORNBURG LLP

/s/ Chad S.C. Stover

Chad S.C. Stover (No. 4919)
222 Delaware Avenue, Suite 1200
Wilmington, Delaware 19801-1050
Telephone: (302) 300-3474
E-mail: chad.stover@btlaw.com

Mark C. Nelson (admitted *pro hac vice*)
David Lisch (admitted *pro hac vice*)
2121 N. Pearl Street, Suite 700
Dallas, TX 75201
Tel: (214) 258-4140
E-mail: mark.nelson@btlaw.com
david.lisch@btlaw.com

Adam M. Kaufmann (admitted *pro hac vice*)
Derrick Hooker (admitted *pro hac vice*)
Dana Amato Sarros (admitted *pro hac vice*)
One North Wacker Drive, Suite 4400
Chicago, IL 60606
Tel: (312) 214-8319
Email: adam.kaufmann@btlaw.com
Email: derrick.hooker@btlaw.com
Email: dana.sarros@btlaw.com

*Attorneys for Defendants Lancium LLC,
Michael T. McNamara, and Raymond E. Cline
Jr.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BEARBOX LLC and AUSTIN STORMS,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 21-534-MN-CJB
)	
LANCIUM LLC, MICHAEL T.)	
MCNAMARA, and RAYMOND E. CLINE, JR.)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

I certify that on July 29, 2022, I caused a sealed copy of the **Defendants' Response to Plaintiffs' Separate Concise Statement of Material Facts for Trial Regarding Damages** to be served on the following counsel of record by via email.

Andrew C. Mayo
Ashby & Geddes
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19801
Email: amayo@ashbygeddes.com

Benjamin T. Horton
John R. Labbe
Raymond R. Ricordati III
Chelsea M. Murray
Marshall, Gerstein & Borun LLP
233 South Wacker Drive
6300 Willis Tower
Chicago, IL 60606-6357
Email: bhorton@marshallip.com
Email: jlabbe@marshallip.com
Email: rricordati@marshallip.com
Email: cmurray@marshallip.com

Dated: July 29, 2022

BARNES & THORNBURG LLP

/s/ Chad S.C. Stover

Chad S.C. Stover (No. 4919)
222 Delaware Avenue, Suite 1200
Wilmington, Delaware 19801-1050
Telephone: (302) 300-3474
E-mail: chad.stover@btaw.com

Mark C. Nelson (admitted pro hac vice)
2121 N. Pearl Street, Suite 700
Dallas, TX 75201
Telephone: (214) 258-4140
E-mail: mark.nelson@btlaw.com

Derrick J. Hooker (pro hac vice pending)
Adam M. Kaufmann (admitted pro hac vice)
Dana Amato Sarros (admitted pro hac vice)
One North Wacker Drive, Suite 4400
Chicago, IL 60606
Tel: (312) 214-8319
E-mail: derrick.hooker@btlaw.com
E-mail: adam.kaufmann@btlaw.com
E-mail: dana.sarros@btlaw.com

Attorneys for Lancium LLC, Michael T.
McNamara, and Raymond E. Cline Jr.